

FILED
10/26/22 3:25 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

_____	:	
In re:	:	
	:	Case No. 17-20883-GLT
PATRICK SHEARER,	:	Chapter 13
	:	
<i>Debtor.</i>	:	
_____	:	
RONDA J. WINNECOUR, Chapter 13	:	Related to Dkt. No. 72
Trustee,	:	
	:	
<i>Movant,</i>	:	
	:	
v.	:	
	:	
PATRICK SHEARER,	:	
	:	
<i>Respondent.</i>	:	
_____	:	

**ORDER TO SHOW CAUSE REGARDING WHY DEBTOR'S
CERTIFICATE OF DISCHARGE ELIGIBILITY SHOULD NOT BE STRICKEN**

This matter is before the Court upon the Debtor's filing of *Certification of Discharge Eligibility* [Dkt. No. 72] ("Certification"). The Debtor has filed his Certification certifying he is eligible to receive a discharge. The Debtor previously filed a chapter 7 petition, at case number 15-23697 and he received a discharge on January 13, 2016.

WHEREAS, section 1328(f) dictates that the Court shall not grant a discharge of all debts provided for in the plan or disallowed under section 502, if a debtor has received a discharge in a case filed under chapter 7, 11 or 12 of this title during the four-year period preceding the date of the order for relief under this chapter.

It is therefore **ORDERED, ADJUDGED, and DECREED** that:

1. An *Order to Show Cause* is issued against the Debtor and Counsel for Debtor to appear at a hearing scheduled on **January 11, 2023** at **11 A.M.** before Judge Taddonio in Courtroom A, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pennsylvania, 15219.

2. Any response to this *Order to Show Cause* shall be filed with the Clerk of Court on or before **December 12, 2022**.

3. Movant shall not charge any fees or expenses related to this *Order to Show Cause* to the Debtor's estate.

Dated: October 26, 2022


GREGORY L. TADDONIO
UNITED STATES BANKRUPTCY JUDGE

Court Administrator to Serve:

Debtor

Debtor's Counsel

Ronda J. Winnecour, Esq. Ch. 13 Trustee

United States Trustee

In re:
Patrick Shearer
Debtor

Case No. 17-20883-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 26, 2022

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 28, 2022:

Recip ID	Recipient Name and Address
db	+ Patrick Shearer, 2530 Grandview Avenue, Ambridge, PA 15003-1435

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 28, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 26, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Lakeview Loan Servicing LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Embrace Home Loans Inc. bnicholas@kmlawgroup.com
Daniel Philip Jones	on behalf of Creditor Lakeview Loan Servicing LLC djones@sterneisenberg.com, bkecf@sterneisenberg.com
James A. Prostko	on behalf of Creditor Lakeview Loan Servicing LLC jprostko@c-vlaw.com, jamesprostko@gmail.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor Patrick Shearer ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com

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User: auto

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Date Rcvd: Oct 26, 2022

Form ID: pdf900

Total Noticed: 1

Ronda J. Winnecour

cmechf@chapter13trusteedpa.com

Thomas Song

on behalf of Creditor Lakeview Loan Servicing LLC pawb@fedphe.com

TOTAL: 8